

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

HALE AND HEARTY SOUPS L.L.C.,

Alleged Debtor.

Involuntary Proceeding Under  
Chapter 7  
Case No. 22-11285 (JLG)

-----X

**DECLARATION OF JONATHAN S. PASTERNAK IN SUPPORT OF EX  
PARTE MOTION TO SHORTEN NOTICE PERIOD AND SCHEDULE  
EXPEDITED HEARING ON MOTION FOR APPOINTMENT OF INTERIM  
CHAPTER 7 TRUSTEE**

**Jonathan S. Pasternak**, pursuant to 28 U.S.C. § 1746, declares the following under penalty of perjury:

1. I am an attorney admitted to practice before the courts of the State of New York, the United States District Courts for the Southern and Eastern Districts of New York, and the United States Court of Appeals for the Second Circuit.

2. I am a partner with the law firm Davidoff Hutcher & Citron LLP, counsel to petitioning creditors APF 286 MAD LLC (“APF”), Baldor Specialty Foods, Inc. (“Baldor”), and Westside Foods, Inc. (“Westside”) (collectively, the “Petitioning Creditors”) and submit this declaration in support of the *Ex Parte Motion to Shorten the Notice Period and Schedule Expedited Hearing on Motion for Appointment of Interim Chapter 7 Trustee* (the “Motion”) pursuant to Rule 9077-1 of the Local Bankruptcy Rules for the Southern District of New York.

3. As set forth in the accompanying Motion for Appointment of Interim Chapter 7 Trustee (the “Trustee Motion”)<sup>1</sup>, the Petitioning Creditors believe that the Alleged Debtor has be

---

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Trustee Motion.

recently dissipating and/or transferring its assets and an interim trustee is therefore necessary to, inter alia, prevent further dissipation and/or disposition of estate assets. Therefore, it is essential that a hearing be held on the Trustee Motion as soon as possible in order to avoid the continuing irreparable harm that would otherwise result from the delay associated with convening a hearing by notice of motion.

Dated: New York, New York  
September 29, 2022

By: /s/ Jonathan S. Pasternak  
Jonathan S. Pasternak